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SWERNOFSKY LAW GROUP

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FACSIMILE COVER SHEET

DATE: March 1, 2002 TOTAL # PGS (INCLUDING COVER): 15

TO: Patent & Trademark Assignment System FAX #: 703-308-6606

OF: Box Art Unit 2177 TEL #: 703-305-9790

FROM: Arlette Malhas, Paralegal for Steven A. Swernofsky RE: Our Docket: 103.1072.01
PTO Serial Number: 09/932,578

Please see attached Response to Notice of Incomplete Reply dated 02/06/2002 with copy of return postcard, transmittal form, fee transmittal, check, copy of the notice and declarations as originally filed on 11/05/01.

The original response documents is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington DC 20231 on 03/01/2002 by Arlette Malhas, Paralegal.

Please call me at 650-947-0700 ext. 304 if you have any questions.

Thank you,


Arlette Malhas, Paralegal

FOREIGN ASSOCIATES: I acknowledge receipt of this fax: _____
(Please acknowledge by return fax)

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The information contained in this facsimile message is confidential information intended only for use of the individual(s) or entity(ies) named above. If the reader of this message is not the intended recipient(s), or is the employee or agent responsible to deliver it to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

PATENT (POST-APPLICATION) POSTCARD

This confirms receipt of the following papers at the USPTO:

Docket No: 103.1072.01

1st Inventor: Lewis

Title of Inv: Instant Snapshot

Serial No: 09/932,578

Filing Date: 8/17/2001

<input checked="" type="checkbox"/> Transmittal Form SB/21	
<input type="checkbox"/> Fee Transmittal Form SB/17 (2 copies)	
<input type="checkbox"/> Check no: _____	Check Amnt: \$ _____
<input type="checkbox"/> Credit Card Payment Form SB-2038	
<input type="checkbox"/> Copy of Notice to File Missing Parts	<input type="checkbox"/> Declaration(s) or Oath(s)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> 37 CFR 3.73(b) Stmt
<input type="checkbox"/> Assignment(s)	<input type="checkbox"/> Recordation Cover Sheet
<input type="checkbox"/> Request for Corrected Filing Receipt	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> 37 CFR 197(e) Statement
<input type="checkbox"/> PTO Form SB/08A (patents)	<input type="checkbox"/> PTO Form SB/08B (non-patents)
<input type="checkbox"/> Copies of References	No. of pgs _____
<input type="checkbox"/> Response to Office Action dated _____	Source of References: _____
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Petition for Extension of Time SB/22
<input type="checkbox"/> Request for Continued Examination (RCE) SB/30	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Transmittal of Issue Fees Letter	<input type="checkbox"/> CPA Request Transmittal SB/29 (2 copies)
<input type="checkbox"/> Transmittal of Formal Drawings Letter	<input type="checkbox"/> Issue Fee Transmittal-Part B (2 copies)
<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Formal Drawings _____
	No. of pgs _____
<input checked="" type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> Return Postcard

Response to Notice of Incomplete Reply with copy of return postcard, transmittal form, fee transmittal, check, copy of the notice, and declarations

Drafted By: ACM

Mailed By: ACM

PTO Customer No: 22883

Mailing Date: 3/01/2002

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PB8646390

MOUNTAIN VIEW CA

94040

Swernofsky Law Group
P.O. Box 390013
Mountain View, CA 94039-0013



PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		PATENT TRADEMARK OFFICE	
		Application Number	09/932,578
		Filing Date	Aug 17, 2001
		First Named Inventor	Lewis
		Group Art Unit	NYA
		Examiner Name	NYA
Total Number of Pages in This Submission	13	Attorney Docket Number	103.1072.01

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): copy of return postcard copy of transmittal form, copy of fee transmittal copy of check, copy of notice, copy of declarations Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Steven A. Swernofsky	Reg. no. 33,040
Signature		
Date	02/27/2002	

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 03/01/2002		
Type or printed name	Arlette Malhas, Paralegal	
Signature		Date 03/01/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and



22883

PATENT TRADEMARK OFFICE

Attorney Docket 103.1072.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lewis

Art Unit: NYA

Serial No. 09/932,578

Examiner: NYA

Filed: 8/17/2001

For: Instant Snapshot

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on 03/01/2002
Date

Arlette Malhas
Arlette Malhas, Paralegal

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

Dear Sir:

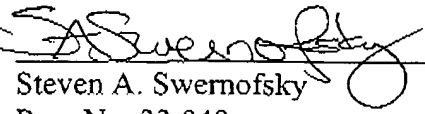
The required declaration was filed on 11/05/2001 in response to the Notice to File Missing Parts (Notice) mailed 09/04/2001. The declaration was properly signed in compliance with 37 CFR 1.63, identifying the application by the application number 09/932,578 and filing date 08/17/2001, as required. Enclosed is a copy of the return postcard, transmittal form, fee transmittal, check, copy of the notice, and the declarations.

Applicant conditionally request an extension of time in the event that one is required for this paper.

In accordance with 37 CFR § 1.136(a)(3), authorization is hereby granted to charge all required extension of time fees under 37 CFR § 1.17 to Deposit Account No. 50-0365.

Respectfully submitted,

Dated: 03/01/2002


Steven A. Swernofsky
Reg. No. 33,040

Swernofsky Law Group
P.O. Box 390013
Mountain View, CA 94039-0013
(650) 947-0700



UNITED STATES PATENT AND TRADEMARK OFFICE

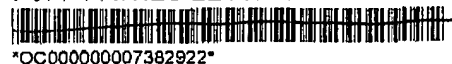
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/932,578	08/17/2001	Blake Lewis	103.1072.01

22883
SWERNOFSKY LAW GROUP
P O BOX 390013
MOUNTAIN VIEW, CA 94039-0013

CONFIRMATION NO. 5197

FORMALITIES LETTER



OC000000007382922

Date Mailed: 02/06/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 01/07/2002 to the Notice to File Missing Parts (Notice) mailed 09/04/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

PATENT (POST-APPLICATION) POSTCARD

This confirms receipt of the following papers at the USPTO:

Docket No: 103.1072.01

Serial No: 09/932,578

1st Inventor: Lewis

Filing Date: 8/17/2001

Title of Inv: Instant Snapshot

PTO Receipt Stamp

<input checked="" type="checkbox"/> Transmittal Form SB/21	<input checked="" type="checkbox"/> Fee Transmittal Form SB/17 (2 copies)
<input checked="" type="checkbox"/> Check in pymt of fees: Check no: 446223	Check Amnt: \$ 1,800.00
<input checked="" type="checkbox"/> Notice to File Missing Parts (Copy to be Returned)	<input checked="" type="checkbox"/> Declaration(s) or Oath(s)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> 37 CFR 3.73(b) Stmt
<input type="checkbox"/> Assignment(s)	<input type="checkbox"/> Recordation Cover Sheet
<input type="checkbox"/> Request for Corrected Filing Rcpt	<input type="checkbox"/> Request for Corrected Recordation
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> 37 CFR 197(e) Statement
<input type="checkbox"/> PTO Form SB/08A (patents) _____ No. of pgs	<input type="checkbox"/> PTO Form SB/08B (non-patents) _____ No. of pgs
<input type="checkbox"/> Copies of References _____ Source of References: _____	
<input type="checkbox"/> Response to Office Action dated _____	<input type="checkbox"/> Petition for Extension of Time SB/22
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Continued Examination (RCE) SB/30	<input type="checkbox"/> CPA Request Transmittal SB/29 (2 copies)
<input type="checkbox"/> Transmittal of Issue Fees Letter	<input type="checkbox"/> Issue Fee Transmittal Part B (2 copies)
<input type="checkbox"/> Transmittal of Formal Drawings Letter	<input type="checkbox"/> Formal Drawings - _____ No. of pgs
<input type="checkbox"/> Notice of Appeal	<input checked="" type="checkbox"/> Return Postcard
<input type="checkbox"/> Other:	

Attorney: SASiv

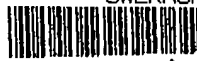
Mailed By: AM

PTO Customer No: 22883

Mailing Date: 11-5-01



Swernofsky Law Group
 P.O. Box 390013
 Mountain View, CA 94039-0013



PTO/SB/21 (08-00)

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Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/932,578
		Filing Date	Aug 17, 2001
		First Named Inventor	Lewis
		Group Art Unit	NYA
		Examiner Name	NYA
Total Number of Pages in This Submission	7	Attorney Docket Number	103.1072.01

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached \$1,800.00 Check No. 446223 <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration by Inventors Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Steven A. Swernofsky	Reg. no. 33,040
Signature		
Date	11-5-01	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 11-5-01			
Type or printed name	Arlette Malhas, Paralegal		
Signature		Date	11-5-01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time your are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
 PATENT TRADEMARK OFFICE Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002 <i>Patent fees are subject to annual revision.</i>		Complete If Known	
		Application Number	09/932,578
		Filing Date	8/17/2001
		First Named Inventor	Lewis, et al.
		Examiner Name	NYA
		Group/Art Unit	NYA
TOTAL AMOUNT OF PAYMENT		Attorney Docket No.	103.1072.01

METHOD OF PAYMENT (check one) 1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: <u>50-0365</u> Deposit Account Name: <u>Swernofsky Law Group</u> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		FEE CALCULATION (continued) <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility Issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design Issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td></td></tr> <tr> <td colspan="5">SUBTOTAL (3)</td> <td>(\$130.00)</td> </tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	130.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility Issue fee (or reissue)		143	460	243	230	Design Issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	180	126	180	Submission of information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify) _____						SUBTOTAL (3)					(\$130.00)
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FEE CALCULATION 1. BASIC FILING FEE <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>740</td><td>201</td><td>370</td><td>Utility filing fee</td><td>740.00</td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr> <td colspan="5">SUBTOTAL (1)</td> <td>(\$740.00)</td> </tr> </tbody> </table> 2. EXTRA CLAIM FEES <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>39</td> <td>20** = 19</td> <td>18</td> <td>342.00</td> </tr> <tr> <td>10</td> <td>3** = 7</td> <td>84</td> <td>588.00</td> </tr> <tr> <td colspan="4">Multiple Dependent</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>109</td><td>84</td><td>209</td><td>42</td><td>**Reissue independent claims over original patent</td><td></td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr> <td colspan="5">SUBTOTAL (2)</td> <td>(\$930.00)</td> </tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	101	740	201	370	Utility filing fee	740.00	106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee		SUBTOTAL (1)					(\$740.00)	Total Claims	Extra Claims	Fee from Below	Fee Paid	39	20** = 19	18	342.00	10	3** = 7	84	588.00	Multiple Dependent				Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20		102	84	202	42	Independent claims in excess of 3		104	280	204	140	Multiple dependent claim, if not paid		109	84	209	42	**Reissue independent claims over original patent		110	18	210	9	**Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)					(\$930.00)	**or number previously paid, if greater; For Reissues, see below *Reduced by Basic Filing Fee Paid
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Steven A. Swernofsky	Registration No. (Attorney/Agent)	33,040
Signature	<i>Steven A. Swernofsky</i>	Telephone	650-947-0700
		Date	1-5-01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**1,800.00**

Complete if Known

Application Number 09/932,578
 Filing Date 8/17/2001
 First Named Inventor Lewis, et al.
 Examiner Name NYA
 Group/Art Unit NYA
 Attorney Docket No. 103.1072.01

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-0365

Deposit Account Name Swernofsky Law Group

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
105	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)**740.00**

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from Below	Fee Paid
39	20** = 19	18	342.00
10	3*** = 7	84	588.00

Multiple Dependent

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**930.00**

**or number previously paid, if greater; For Reissues, see below

FEE CALCULATION (continued)

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**130.00**

SUBMITTED BY

Name (Print/Type)	Registration No. (Attorney/Agent)	Complete (if applicable)
Steven A. Swernofsky	33,040	Telephone 650-947-0700
Signature <i>SA Swernofsky</i>		Date 11-5-01

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9/14/01 Stub 1 of 1

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IN COOPERATION WITH & PAYABLE IF DESIRED
AT
WELLS FARGO BANK, N.A.
4759-020187

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Network Appliance

495 E. Java Drive
Sunnyvale, CA 94089408.822.6000 Telephone
408.822.4501 Fax

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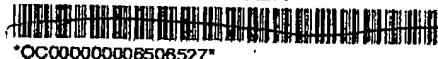
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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/932,578	08/17/2001	Blake Lewis	103.1072.01

22883
SWERNOFSKY LAW GROUP
P O BOX 390013
MOUNTAIN VIEW, CA 94039-0013

CONFIRMATION NO. 5197

FORMALITIES LETTER



OC000000008506527

Date Mailed: 09/04/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$902.
 - \$342 for 19 total claims over 20.
 - \$560 for 7 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1742.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)).

*A copy of this notice **MUST** be returned with the reply.*

03/01/2002 17:04

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SWERNOWSKY LAW GROUP

PAGE 15
Page 2 of 2


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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE